

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

SHIRLEY MACK on behalf of herself and	)	
others similarly situated,	)	1:11-cv-9008
Plaintiffs,	)	
	)	Judge Kim (by consent)
v.	)	
	)	
GENERAL MOTORS FINANCIAL COMPANY,	)	JURY DEMANDED
INC. f/k/A AMERICREDIT CORP.,	)	
Defendant.	)	

**PARTIES' JOINT MOTION FOR EXPEDITED TRANSFER  
FOR SETTLEMENT PURPOSES**

The parties to this action respectfully request that the Court transfer this case to the Southern District of California, on an expedited basis and "forthwith." In support of this motion, the parties state:

1. This is a Telephone Consumer Protection Act, 47 U.S.C. §227(b) case, which alleges that the defendant called plaintiff and others' cellular telephones using an automatic telephone dialing system and prerecorded voice. Defendant denies these allegations.
2. As this Court is aware, there is a similar case pending in the Southern District of California, *Newman v. AmeriCredit Financial Services, Inc.*, 11CV3041-DMS-BLM.
3. At this Court's suggestion, the parties engaged in a global mediation of both cases. Through two full-day arms-length mediation sessions with the Honorable Judge Leo S. Papas (ret.) in San Diego, the parties have come to a class action settlement.
4. As part of the settlement, the parties have agreed that the settlement should be overseen by the Honorable Judge Sabraw in the Southern District of California. The parties

therefore jointly request that, pursuant to 28 U.S.C. § 1404(a), the case be transferred to the Southern District of California for purposes of settlement approval. That section states:

- (a) For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented.

5. For purposes of settlement, all parties to this action have consented to its transfer to the Southern District of California. .

6. While the parties do not anticipate that it will be necessary to conduct any further proceedings in this District, the purpose of the request for transfer is limited to the settlement and settlement approval motions and procedures, as required by Fed.R.Civ.P. 23(e). If the settlement is not approved for any reason, plaintiff anticipates asking that the case be transferred back to this Court. Neither party wants this and the parties are working in good faith to achieve final settlement approval.

7. Once the transfer is complete, the parties intend to consolidate the cases for purposes of the class action settlement.

8. The parties request an expedited transfer, “forthwith,” because N.D.III. Local Rule 83.4 creates an automatic 14 day delay for transfers. It is the desire of the parties to have their settlement preliminarily approved as soon as possible.

WHEREFORE, the parties to this action respectfully request that the Court transfer this case to the Southern District of California, on an expedited basis, “forthwith.”

Respectfully submitted,

/s/Alexander H. Burke

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